

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

| | | |
|-------------------|---|-----------------------|
| In Re: |) | |
| Ray Allen Danley |) | |
| Trina L. Danley |) | Case No. 19-60880 |
| |) | Chapter 7 |
| Debtors. |) | |
| |) | |
| In Re: |) | |
| J. Kevin Checkett |) | |
| |) | |
| Plaintiff, |) | Adversary No. 19-6029 |
| vs. |) | |
| |) | |
| Carvana, LLC |) | |
| |) | |
| Defendant. |) | |
| |) | |

**DEFENDANT’S SECOND MOTION FOR EXTENSION OF TIME
TO ANSWER OR OTHERWISE PLEAD**

COMES NOW Defendant, Carvana, LLC, by and through their attorneys of record, and pursuant to Rule 6(b), Federal Rules of Civil Procedure, and Rule 9006(b) of the Federal Rules of Bankruptcy Procedure, moves the Court for an order granting defendants an additional extension of time, until January 31, 2020 within which to file an Answer or other responsive pleading to plaintiff’s complaint, including the right to file any motions under Rule 12, Federal Rules of Civil Procedure, and Rule 7012 of the Federal Rules of Bankruptcy Procedure, and not waiving any such rights to file such motions under Rule 12, Federal Rules of Civil Procedure.

This extension of time is necessary to allow defendant an additional period of time to investigate, research, prepare, and file a responsive pleading to plaintiff’s complaint and is not made to delay the action. More specifically, the underlying transaction originated in another state and Defendant has asked the Department of Revenue in that state to research its records and provide proof of lien perfection in that jurisdiction.

Defendant has requested via e mails that Opposing counsel consent to said extension of time but has not yet received a response. It is anticipated that an Answer will be filed as soon as the DMV records are obtained and reviewed.

This motion is made expressly to preserve and not waive the filing of any motions under Rule 12, Federal Rules of Civil Procedure and Rule 7012 of the Federal Rules of Bankruptcy Procedure.

WHEREFORE, for the reasons as above stated, the Defendant respectfully suggests that the motion be granted.

Respectfully submitted,
LEWIS RICE LLC

/s/ Michael P. Gaughan
Michael P. Gaughan, KS#70120
10484 Marty Street
Overland Park, KS 66212
(913)648-6333
(913)642-8742 FAX
mgaughan@lewisricekc.com

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served electronically to those parties who have entered an appearance in the court's Electronic Court Filing (ECF) System and conventionally, via first-class mail, postage prepaid, to those below who have requested notice but are not participating in the ECF System, on the date entered on the court's docket.

/s/ Michael P. Gaughan
Attorney of Record

Ray Allen Danley
Trina L. Danley
1607 Skyview Drive
Branson, MO 65616
Pro Se Debtors
